

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ABDALLAH GENDIA, :
: Plaintiff, :
v. : C.A. No. 2:20-cv-01104-WB
: DREXEL UNIVERSITY, :
: Defendant. :
:

STIPULATION

WHEREAS, on or about February 25, 2020, Plaintiff Abdallah Gendia filed a Complaint in the above-referenced matter, which was subsequently amended on July 10, 2020;

WHEREAS, on or about July 24, 2020, Defendant Drexel University (“Drexel”), filed a Motion to Dismiss Plaintiff’s Amended Complaint, which is currently pending before this Court;

WHEREAS, as part of this litigation (the “Litigation”), the parties entered into a Stipulated Confidentiality Agreement and Protective Order (the “Confidentiality Agreement”), which was approved by this Court on June 18, 2020;

WHEREAS, pursuant to the Confidentiality Agreement, the parties acknowledged that discovery in this case may involve confidential information, including mental health records, as well as records related to former and current Drexel students who are not parties to this litigation (the “Non-Party Students”), some of which qualifies as protected education records as defined in the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (“FERPA”);

WHEREAS, pursuant to the Confidentiality Agreement, on July 10, 2020, Drexel provided notice to such Non-Party Students of the potential disclosure of his/her records via

discovery and provided that, if the student objects to production of the material, the student must file an objection;

WHEREAS, on July 13, 2020, Drexel received an objection from a Non-Party Student, referred to herein as "Mary Roe," via her attorney;

WHEREAS, pursuant to the Confidentiality Agreement, counsel for Drexel sent a copy of the objection to the Court and the Court held a conference asking the parties to meet and confer regarding the objection and/or to find a vehicle to bring the objection to the Court for resolution;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between counsel for the parties and for Mary Roe, and ORDERED that Drexel will produce discovery in this matter and information it intends to use in discovery to Plaintiff's counsel without redacting Mary Roe's true name. Plaintiff's attorney agrees that he will not provide any hard nor electronic copies of discovery with Mary Roe's name to his client, Abdallah Gendia. Plaintiff's attorney may review such documents in person in his office with his client, Abdallah Gendia, but the hard copy may not leave his office. Upon conclusion of this Litigation, Plaintiff's attorney will destroy any such documents.

AGREED TO BY:

/s/ Christopher Markos
Christopher Markos, Esquire
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(215) 557-0099

Attorney for Plaintiff

/s/ Jeffrey W. Ogren
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**Attorney for Third Party Mary
Roe**

It is so ORDERED:

Dated: _____

United States District Judge